



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 21, 2000

Ms. Lynette Hendricks
Director
Plant Support
Nuclear Generation Division
Nuclear Energy Institute
1776 I Street, NW Suite 400
Washington, DC 20006-3708

SUBJECT: FUEL CLASSIFICATION PROTOCOL FOR DRY FUEL STORAGE AND
TRANSPORTATION

Dear Ms. Hendricks:

I am responding to your February 17, 2000, letter, in which you request the U.S. Nuclear Regulatory Commission's endorsement of the Nuclear Energy Institute (NEI) document, "Fuel Classification Protocol For Dry Fuel Storage and Transportation." We appreciate the leadership role that NEI has taken to provide industry comments on staff positions.

While we agree with the overall approach in your protocol, Screening Criteria Number 4 does not contain the acceptance criteria for conducting an engineering evaluation or the analyses to show that damaged fuel does not compromise the ability of the cask to meet 10 CFR Part 71 (hypothetical accident conditions) and Part 72 requirements. For example, 72.24(d) states that the safety analysis report should include analyses and evaluation of the design and performance of structures, systems and components important to safety, with the objective of assessing impact on public health and safety for normal, off-normal and accident conditions. Please note that current licensing requirements on dry fuel storage systems shall be followed in all cases.

It is also unclear from your background discussion which U.S. Department of Energy contracts you are referring to and if this protocol will meet these contracts.

We anticipate receiving a major licensing action within the next two months which addresses the issues raised in your protocol. In conjunction with our review of this submittal, we will revise Interim Staff Guidance -1 as appropriate. We will also review your protocol consistent with other Spent Fuel Project Office and industry priorities such as high burnup fuel, burnup credit, and standardized technical specifications. We are interested in pursuing the issue further in a public forum such as one of the upcoming NEI workshops. We request you provide us with a proposed schedule so that we can have the appropriate staff available.

Thank you for your continued efforts to provide guidance to the industry. If you have any questions or comments, please contact James Lyons or Earl Easton of my staff. Mr. Lyons can be reached at (301) 415-8540 and Mr. Easton may be contacted on (301) 415-8520

Sincerely,

(M. Wayne Hodges for:)

/RA/

E. William Brach, Director
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

March 21, 2000

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L. Hendricks

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